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Date of Transmission: May 11, 2005

Name of Person Making Transmission: Teri McDonald

Signature:

*Teri McDonald* 5/11/05

DOCUMENT(S) FAXED:

PAGES ATTACHED: 1

|              |                        |
|--------------|------------------------|
| Re Applic of | Thomas N. Adam, et al. |
| Docket No.   | FIS920040026US1        |
| Serial No.   | 10/708,861             |
| Filing Date  | 3/29/2004              |
| Attorney     | Steve Capella          |

Attached: Election

PLEASE DELIVER TO: Yeanhu B. Huynh  
EXAMINER: ART UNIT: 2813  
CONFIRMATION NO.: 2860  
PHONE NO:  
FAX NO: 703-872-9306

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INTERNATIONAL BUSINESS MACHINES CORPORATION

Intellectual Property Law  
East Fishkill Facility  
2070 Route 92  
Hopewell Junction  
New York 12533-6531

Fax: 845-892-6363  
Phone: 845-894-2580

I hereby certify that this correspondence is being deposited by FAXSIMILE to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450 on May 11, 2005 by Teri McDonald.

Teri McDonald 5/11/05

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE MAY 11 2005

Group Art Unit 2813

|                             |   |                          |
|-----------------------------|---|--------------------------|
| <u>In re application of</u> | : | May 11, 2005             |
| Thomas N. Adam et al.       | : | Examiner: Yennhu B Huynh |
| Serial No. : 10/708,861     | : |                          |
| Filed: March 29, 2004       | : | IBM Corporation          |
| Title: VERTICAL DEVICE WITH | : | Dept. 18G/Bldg, 300-482  |
| OPTIMAL TRENCH SHAPE        | : | 2070 Route 52            |
|                             | : | Hopewell Junction, NY    |
|                             | : | 12533-6531               |

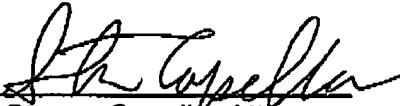
Election

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the restriction/election requirement dated May 4, 2005, applicants hereby elect Group I, claims 1-11. This election is made without traverse.

Respectfully submitted,  
Thomas N. Adam et al.

By   
Steven Capella, Attorney  
Reg. No. 33,086  
Telephone: 845-894-3669

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Teri McDonald 5/11/05

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Election

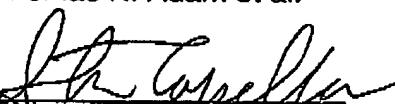
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